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Attorney for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FITNESS ANYWHERE, INC.,

Plaintiff,

vs.

STANLEY YAN, *et al.*

Defendants.

Case No.: CV 09-04815 RS

STIPULATION AND  
[PROPOSED] ORDER OF DISMISSAL  
OF DEFENDANT ~~TIMOTHY SANTOS~~  
STAN CHIN

Hon. Richard Seeborg

1 WHEREAS Plaintiff Fitness Anywhere, Inc., and Defendant Stan Chin,  
2 individually and doing business as PrimoFitness, have executed a settlement  
3 agreement resolving all claims in this action, and are currently performing the terms  
4 and conditions thereof;

5 NOW THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff  
6 Fitness Anywhere, Inc., and Defendant Stan Chin, individually and doing business as  
7 Primo Fitness, by and through their respective undersigned counsel of record, subject  
8 to the Court's approval and order thereon, that:

- 9 1. Each of the undersigned parties' claims against the other are dismissed with  
10 prejudice; and,  
11 2. Each undersigned party shall bear its own costs and attorneys' fees.

12 IT IS SO STIPULATED.

13 Respectfully submitted,

14 For Plaintiff FITNESS ANYWHERE,  
15 INC.

16 

17 Omid A. Mantashi  
18 ATTORNEY AT LAW

19 12/19/2011  
20 Date

For Defendant STAN CHIN

21 

22 Bruce Piontkowski  
23 TINGLEY PIONTKOWSKI LLP

24 12/19/11  
25 Date

26 IT IS SO ORDERED.

27 Dated: December 20, 2011, by:

28 

Hon. Richard Seeborg  
United States District Court Judge  
Northern District of California